

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

FILED

FEB 09 2011

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY _____ DEPUTY CLERK

UNITED STATES OF AMERICA,

Plaintiff,

v.

IVAN CHAVIRA (1),
EDGAR IVAN GALVAN
aka "El Negro" (2).

Defendants.

§ SEALED

§

§ CRIMINAL NO. EP-10-CR-3172-PRM

§ SUPERSEDING

§ INDICTMENT

§

§ CT 1: 21:846 & 841(a)(1)-Conspiracy to

§ Possess a Controlled Substance with

§ Intent to Distribute;

§ CT 2: 21:841(a)(1)-Possession with

§ Intent to Distribute a Controlled

§ Substance;

§ CT 3: 21:841(a)(1)-Possession with

§ Intent to Distribute a Controlled

§ Substance;

§ CT 4: 18:924(c)-Using, Carrying, or

§ Possessing a Firearm During and in

§ Relation to a Crime of Violence or Drug

§ Trafficking Crime;

§ CT 5: 21:846 & 841(a)(1)-Conspiracy to

§ Possess a Controlled Substance with

§ Intent to Distribute;

§ CT 6: 18:1956(a)(2)(A)-Laundering of

§ Monetary Instruments;

§ CT 7: 21:841(a)(1)--Possession with

§ Intent to Distribute a Controlled

§ Substance;

§ CT 8: 18:924(c)-Using, Carrying, or

§ Possessing a Firearm During and in

§ Relation to a Crime of Violence or Drug

§ Trafficking Crime;

§ CT 9: 18:924(c)-Using, Carrying, or

§ Possessing a Firearm During and in

§ Relation to a Crime of Violence or Drug

§ Trafficking Crime.

§ CT 10: 18:924(o)-Conspiring to Possess

§ Firearms in Furtherance of Drug

§ Trafficking Crimes

THE GRAND JURY CHARGES:

COUNT ONE

(21 U.S.C. §§ 846 & 841(a)(1) & 841(b)(1)(A)(vii))

That beginning on or about July 1, 2005, and continuing through and including the date of this indictment, in the Western District of Texas, Defendants,

**IVAN CHAVIRA, (1)
EDGAR IVAN GALVAN (2)
aka "El Negro".**

knowingly, intentionally, and unlawfully conspired, combined, confederated, and agreed with others to the Grand Jury known and unknown, to commit offenses against the United States, in violation of Title 21, United States Code, Section 846, that is to say, he conspired to possess a controlled substance, which offense involved 1000 kilograms or more of a mixture or substance containing a detectable amount of marijuana, a Schedule I Controlled Substance, with intent to distribute same, contrary to Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A)(vii).

COUNT TWO

(21 U.S.C. §§ 841(a)(1) & 841(b)(1)(B)(vii))

That on or about April 7, 2010, in the Western District of Texas, Defendants,

IVAN CHAVIRA, (1) and

knowingly and intentionally possessed with intent to distribute a controlled substance, which offense involved 100 kilograms or more of a mixture or substance containing a detectable

amount of marijuana, a Schedule I Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B)(vii).

COUNT THREE
(21 U.S.C. § 841(a)(1))

That on or about August 31, 2009, in the Western District of Texas, Defendant,

IVAN CHAVIRA (1),

knowingly and intentionally possessed with intent to distribute a controlled substance, which offense involved a quantity of a mixture or substance containing a detectable amount of marijuana, a Schedule I Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1).

COUNT FOUR
(18 U.S.C. § 924(c)(1)(A))

That on or about April 7, 2010, in the Western District of Texas, Defendants,

**IVAN CHAVIRA, (1)
EDGAR IVAN GALVAN (2)
aka "El Negro".**

did knowingly possess firearms, that is, nineteen (19) Romarm/Cugir 7.62 caliber rifles and one (1) Century International Arms 7.62 caliber rifle, in furtherance of a drug trafficking crime, for which he may be prosecuted in a court of the United States, that is, Conspiracy to Possess a Controlled Substance with Intent to Distribute, in violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT FIVE
(21 U.S.C. §§ 846 & 841(a)(1) & 841(b)(1)(A)(ii))

That on or about April 1, 2009, and continuing through and including the date of this indictment, in the Western District of Texas, Defendants,

**IVAN CHAVIRA, (1)
EDGAR IVAN GALVAN (2)
aka "El Negro".**

knowingly, intentionally, and unlawfully conspired, combined, confederated, and agreed together, and with each other, and with others to the Grand Jury known and unknown, to commit offenses against the United States, in violation of Title 21, United States Code, Section 846, that is to say, they conspired to possess a controlled substance, which offense involved five kilograms or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II Controlled Substance, with intent to distribute same, contrary to Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A)(ii).

COUNT SIX
(18 U.S.C. §1956(a)(2)(A) & (h))

That beginning on or about April 1, 2009, and continuing through and including the date of this indictment, in the Western District of Texas, Defendants,

**EDGAR IVAN GALVAN (2)
aka "El Negro".**

did knowingly conspire with others known and unknown to the Grand Jury to transport and transfer and attempt to transport and transfer monetary instruments and funds from a place inside the United States to a place outside the United States, that is the Republic of Mexico, with the intent to promote the carrying on of a specified unlawful activity, that is Conspiracy to Possess with the intent to Distribute a Controlled Substance, in violation of Title 18, United States Code, Section 1956(a)(2)(A) and (h).

COUNT SEVEN

(21 U.S.C. §§ 841(a)(1) & 841(b)(1)(A)(ii))

That on or about September 1, 2009, in the Western District of Texas, Defendants,

EDGAR IVAN GALVAN (2)
aka "El Negro".

knowingly and intentionally possessed with intent to distribute a controlled substance, which offense involved five kilograms or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A)(ii).

COUNT EIGHT

(18 U.S.C. § 924(c)(1)(A))

That on or about January 13, 2010, in the Western District of Texas, Defendants,

IVAN CHAVIRA, (1)
EDGAR IVAN GALVAN (2)
aka "El Negro".

did knowingly possess firearms, that is, five (5) Romarm/Cugir 7.62 caliber rifles and thirty-five (35) Century International Arms 7.62 caliber rifle, in furtherance of a drug trafficking crime, for which he may be prosecuted in a court of the United States, that is, Conspiracy to Possess a Controlled Substance with Intent to Distribute, in violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT NINE
(18 U.S.C. § 924(c)(1)(A))

That on or about February 2009, in the Western District of Texas, Defendants,

**IVAN CHAVIRA, (1)
EDGAR IVAN GALVAN (2)
aka "El Negro".**

did knowingly possess firearms, that is, one (1) .50 caliber rifle, in furtherance of a drug trafficking crime, for which he may be prosecuted in a court of the United States, that is, Conspiracy to Possess a Controlled Substance with Intent to Distribute, in violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT TEN
[18 U.S.C. §§ 924(o) and 18 U.S.C. § 2]

Beginning on or about February 1, 2009, and continuing through and including the date of this indictment, in the Western District of Texas, Defendants,

**IVAN CHAVIRA, (1)
EDGAR IVAN GALVAN (2)
aka "El Negro",**

knowingly combined, conspired, confederated, and agreed with each other and others known and unknown to the Grand Jury to commit offenses against the United States, that is, the **DEFENDANTS** conspired to possess firearms in furtherance of the drug trafficking crimes charged in Counts One, Five and Seven of this Indictment, re-alleged herein, contrary to Title 18, United States Code, Sections 924(c)(1) and 2.

A TRUE BILL **ORIGINAL SIGNATURE
REDACTED PURSUANT TO
E-GOVERNMENT ACT OF 2002**

FOREPERSON OF THE GRAND JURY

JOHN E. MURPHY
UNITED STATES ATTORNEY

BY:


Assistant U.S. Attorney